## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

## **ORDER**

Before the Court is Plaintiff's Amended Application for Temporary Restraining Order and Preliminary Injunction [Docket Entry #31]. The Application for Temporary Restraining Order and Preliminary Injunction is **DENIED**.

On June 10, 2011, the Court denied Plaintiff's request for a Temporary Restraining Order in a written opinion [Docket Entry #11]. On August 1, 2011, Plaintiff moved for reconsideration of the Court's denial [Docket Entry #21]. On August 15, 2011, the Court denied Plaintiff's Motion for Reconsideration and stated that "Plaintiff is not precluded from filing a new request for injunctive relief, given any relevant new developments..." [Docket Entry #25].

The Court finds no new developments, except for Plaintiff's appearance through counsel.

However, Plaintiff had already appeared through counsel at the time of his Motion for

Reconsideration, and in any case, the Court does not find appearance through counsel to be a

"relevant new development." Therefore, the Court **DENIES** the current Application for

Temporary Restraining Order on the same basis as the Court's original denial. Alternatively, the Court **DENIES** the Application because the Court finds the Plaintiff is not substantially likely to prevail on the merits.

Furthermore, the Court **DENIES** Plaintiff's Application for Preliminary Injunction as moot, since the eviction of the Plaintiff is set to occur today.

SO ORDERED.

October 7, 2011.

LINITED STATES DISTRICT JUDGE NORTHERN DISTRICT OF TEXAS